BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 20

Application Number: 09/089,011
Filing Date: June 02, 1998
Appellant(s): BANSAL ET AL.

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GROUP 3600

BANSAL ET AL.

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For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 18, 2002.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly

affect or be directly affected by or have a bearing on the decision in the pending appeal

is contained in the brief.

(3) **Status of Claims**

The statement of the status of the claims contained in the brief is correct.

(4) **Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

(5) **Summary of Invention**

The summary of invention contained in the brief is correct.

(6) **Issues**

The appellant's statement of the issues in the brief is correct.

(7) **Grouping of Claims**

The rejection of claims 1-35 stand or fall together because appellant's brief does

not include a statement that this grouping of claims does not stand or fall together and

reasons in support thereof. See 37 CFR 1.192(c)(7). The Appellant makes a

statement grouping the claims differently from the Examiner's groupings but failed to

argue the claims separately within the groupings identified therefore the Examiner

recommends that the claims be grouped per the grouping identified in the office action.

Group A: Claims 1, 17 and 30-32

Group B: Claims 2-9, 12-16, 18-23, 29 and 33-35

Group C: Claims 10-11 and 24-28

(8) **Claims Appealed**

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9)   Prior Art of Record

6,101,480	CONMY ET AL.	8-2000
5,400,200	JONES ET AL.	3-1995
5,790,974	TOGNAZZINI	08-1998

(10)   Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 17, 30-32 are rejected under 35 U.S.C. 102(e) as being anticipated by

Conmy et al.(6,101,480 hereinafter Conmy).

With respect to claims 1, 17 and 30-32, Conmy teaches a method for managing a

scheduling system(Abstract). Receiving information about an appointment from a user

(col. 3, lines 27-30); receiving information about an attendee associated with the

appointment, including attendee notification information (col. 3, lines 27-6);determining

meeting status information (col. 3, lines 57-65); automatically generating an

attendee notification message using the attendee notification information based on the

meeting status information(Figure 3); and receiving a response to the attendee

notification message from an attendee, the response changing the time of the

appointment (i.e. the attendee can change the time of the meeting or appointment by

choosing any of the recommended alternative meeting times)(see Figure 5).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-9, 12-16, 18-23, 29, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy in view of Jones et al.(5,400,020 hereinafter Jones) .

With respect to claims 2 and 34, Jones teaches automatically generating an

attendee notification message when the status indication information indicates that the

user will be late for the appointment(col. 7, lines 4-32). It would have been obvious to a

person of ordinary skill in the art at the time of Applicant's invention to have included the

teachings of Conmy of automatically generating an attendee notification message when

the status indication information indicates that the user will be late for an appointment

because such a modification would allow the attendee to know in advance that the user

is going to be late.

Claim 3 further recites that the attendee notification information is a telephone

number and said step of generating is performed by generating an audio message.

Since, Conmy teaches generating the notification information is performed in step 110,

the system sends an invitation to the invitees to attend the event by electronic mail

using the address stored for each invitee and since Jones teaches the notification

information is via a telephone and said step of generating is performed by generating an

audio message(col.4, lines 46-60) then it would have been obvious to a person of

ordinary skill in the art at the time of Applicant's invention to have included sending the

notification information to the attendee via telephone by generating an audio message

because such a modification would provide different user's preferences and choices of

implementation.

With respect to claim 4, Conmy further teaches that the attendee notification is

performed by generating an electronic mail message. the notification information is

performed in step 110, the system sends an invitation to the invitees to attend the event

by electronic mail using the address stored for each invitee.

With respect to claim 5, Conmy further teaches that the status information is

received from a computer through a communication network (Figures 1-9).

With respect to claims 6 and 7, Jones teaches receiving the information through

a wireless telephone network(col. 2, lines 40-56). It would have been obvious to a

person of ordinary skill in the art at the time of Applicant's invention to have included

receiving the information from a wireless telephone through a communication network

because such a modification would provide portability.

With respect to claim 8, Jones teaches receiving user location information (i.e.

The bus location at a particular time could then be compared with scheduled locations

and scheduled times in order to determine whether the bus 19 is early or late and by

what amount(col. 5, lines 65-, col. 6, lines 1-11); deciding if the user will be late for the

appointment based on the appointment time information, the appointment location

information, the user location information and time associated with the user location

information (col. 2, lines 40-56; col. 3, lines 65-, col. 4, lines 1-27; col. 6, lines 27-68). It

would have been obvious to a person of ordinary skill in the art at the time of Applicant's

invention to have included the teachings of Jones of receiving user location information

and deciding if the user will be late based on the user's location because such a

modification would allow the invitee to know in advance if the user is going to be late.

With respect to claim 9, Jones teaches calculating a travel distance

based on the appointment location information and the user location information(col. 7,

lines 4-11); calculating a time of arrival based on the time associated with the user

location information, the travel distance and a travel velocity(col. 5, lines 30-45); and

comparing the calculated time of arrival with the appointment time information(col. 2,

lines 40-56; col. 3, lines 65-, col. 4, lines 1-27; col. 6, lines 27-68). It would have been

obvious to a person of ordinary skill in the art at the time of Applicant's invention to have

included comparing the time of arrival with the appointment information because such a

modification would enabled the system to determine if the user is going to be late.

With respect to claim 12, the limitations were previously address in the rejections

to claims 5-7 and therefore is rejected under similar rationale.

With respect to claim 13, Conmy further teaches sending the attendee notification message to the attendee(Figure 3).

The limitations of claims 14 and 18-19 were previously addressed in the rejection to claim 2 and therefore the claims are rejected under similar rationale.

With respect to claim 15, Jones teaches comparing the calculated time of arrival with the appointment time information and a predetermined fixed period of time(Figures 4-7). It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included comparing the calculated time of arrival with the appointment time because such a modification would allow the attendee of Conmy to know if the user is going to be late.

Claims 16 and 29 differ from claims 14, 18 and 19 above in that it further recite that the scheduling unit is coupled to the scheduler database(in Conmy Figure 2).

With respect to claim 20, Jones teaches receiving user location information(i.e. The bus location at a particular time could then be compared with scheduled locations and scheduled times in order to determine whether the bus 19 is early or late and by what amount(col. 5, lines 65-, col. 6, lines 1-11); deciding if the user will be late for the appointment based on the appointment time information, the appointment location information, the user location information and time associated with the user location

information (col. 2, lines 40-56; col. 3, lines 65-, col. 4, lines 1-27; col. 6, lines 27-68). It

would have been obvious to a person of ordinary skill in the art at the time of Applicant's

invention to have included receiving user location information and deciding if the user

will be late based on the user's location because such a modification would allow the

invitee of Conmy to know in advance if the user is going to be late.

With respect to claim 21, Jones further teaches that the user location information

is generated by a global positioning satellite receiver (col. 6, lines 1-11). It would have

been obvious to a person of ordinary skill in the art at the time of Applicant's invention to

have included generating the user location information by a global positioning satellite

receiver because such a modification would enable the system of Conmy to determine

where the user is situated on any given time.

Claim 22 further recites that the location information is calculated from an

automatic identification number. Official notice is taken that is old and well known to

use caller ID to automatically identify the location that the person is calling from. It

would have been obvious to a person of ordinary skill in the art at the time of Applicant's

invention to have included calculating the location information from a device such as

caller ID because such a modification would save time by identify the location of the

caller without the need to interchange much information.

With respect to claim 23, Conmy further teaches that the status information is

received from a computer through a communication network (Figures 1-9).

Claim 33 further recites that the response from the attendee can be received by

page, facsimile or e-mail. Conmy teaches that the attendee response can be received

by e-mail and since facsimile and page like e-mails are well known methods of sending

and receiving information then it would have been obvious to a person of ordinary skill

in the art at the time of Applicant's invention to have included page and facsimiles

because such a modification would allow the user to choose their preferred method of

implementation.

Claim 34 further recites that the steps are performed by a personal digital

assistant(PDA). Official notice is taken that PDA are well known lightweight palmtop

computers designed to provide specific functions such as personal calendar

organization. It would have been obvious to a person of ordinary skill in the art at the

time of Applicant's invention to have included implementing the steps on a personal

digital assistant because such a modification would provide portability.

Claims 10-11 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy in view of Jones further in view of Tognazzini(5,790,974 hereinafter Tognazzini).

With respect to claims 10 and 24, the combination of Conway and Jones teach

calculating the travel distance based on the appointment location information, the user

location information(In Jones col. 5, lines 30-, col. 7, lines 1-32). The combination of

Conway and Jones do not specifically teach receiving map information from a database

and adjusting the travel distance based on the mapping information. On the other hand,

Tognazzini teaches receiving map information from a mapping database to adjust travel

distance (Figures 4B-4C). It would have been obvious to a person of ordinary skill in

the art at the time of Applicant's invention to have included adjusting the travel distance

based on the mapping information because such a modification would provide optimal

travel route to the use(in Tognazzini col. 2, lines 38-, col. 3, lines 1-2).

Claims 11, 25-27 further recites receiving environment information wherein the

environment information is weather and traffic information and adjusting the travel

velocity based on that information. Since, The combination of Conmy, Jones and

Tognazzini teaches adjusting the travel velocity based on the traffic information(in

Tognazzini, col.14, lines 62-, col. 15, lines 1-2) then it would have been

obvious to a person of ordinary skill in the art at the time of Applicant's invention to

adjust the travel velocity based on weather information because weather like traffic

conditions are known facts that would delay one's travels.

Claim 28 further recites adjusting travel velocity based on airline information, for

purpose of determining if the user is going to be late for the appointment. Since, the

combination of Conmy ,Jones and Tognazzini teaches adjusting the travel velocity

based on the traffic information(in Tognazzini, col. 14, lines 62-, col. 15, lines 1-2) then it

would have been obvious to a person of ordinary skill in the art at the time of

Applicant's invention to have included airline traffic as part of the traffic information of

Tognazzini because such a modification would allow the system to determine if the user

is going to be late if the user chooses to travel by road or airplane.

(11) Response to Argument

Appellant argues that Conmy does not disclose receiving a response to an

attendee notification message from an attendee, the response changing the time of the

appointment. The Examiner note that the citation of Figure 5 was cited in error because

Figure 5 shows the user's screen and not the attendee's (invitee) screen. Nevertheless the feature of receiving a response from an attendee of the meeting, the response changing the time of the appointment is clearly disclosed in Conmy, col. 9, lines 27-28; col. 11, lines 39-42 and col. 12, lines 2-9 which states that "Invitees may accept the event invitation, decline the invitation, **propose another event time,** or delegate a substitute to attend"

With respect to the arguments to claims 2 and 34, the Examiner wants to point out the wording of the claims "if the **user** will be late for the appointment....generating an **attendee notification message** is performed when the meeting status indication information indicates that the **user** will be late for the appointment". In the case of the instant application the user is the coordinator of the event and the attendees are the invitees. Jones is an **"advance notification system",** title and it discloses notifying school children (attendees) if the bus driver (user) is behind schedule or late for the scheduled stop (appointment). If the bus driver or user of the system is running behind schedule a message is sent to the students (invitees) via telephone alerting them of the delay (see Jones col. 6, lines 65-, col. 7, lines 1-32). In the system of Jones the system can determined if the user or driver is going to be late for the appointment or scheduled stop by comparing the planned route time for the stop, the location of the stop, the location of the user or driver which can be determined by the use of a GPS system installed in the school bus and how far the driver is from the scheduled stop (see figure 4). The students or attendees are called in order to inform them that the user or driver is going to be late for the scheduled appointment or stop (see col. 7, lines 4-32).

For the above reasons, it is believed that the rejections should be sustained.

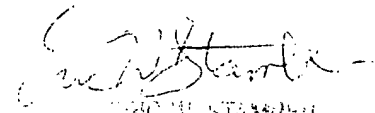Respectfully submitted,

R.A.
June 6, 2002

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